

REMARKS

Claims 1, 16-26 and 35-38 remain pending. Claims 35-38 have previously been determined allowable over the prior art of record, and independent claim 1 has been amended to distinguish over the prior art of record. No new matter was added. Accordingly, Applicant respectfully submits that the present application is in condition for allowance.

I. Claim Rejections – 35 USC §103(a)

- A. *In the non-final Office Action dated July 8, 2009, claims 1 and 16-25 are rejected under §103(a) as being obvious over JP 63-065039*
A.

Independent claim 1 has been amended to be similar to that of claim 35 of the present application. In the non-final Office Action, the Examiner states that claim 35 is allowable because the “transitional expression ‘consisting of’ in claim 35 has excluded additional essential elements from JP 63-065039.” Independent claim 1 has been amended to recite the transitional expression “consisting of”. Accordingly, Applicant respectfully submits that claim 1 of the present application is allowable for the same reasons that claim 35 has been determined to be allowable.

Dependent claims 18, 22, 24 and 25 have been amended with respect to proper antecedent basis for “inevitable impurities” recited in claim 1. The dictionary definition of the word “inevitable” is “incapable of being avoided”. Claims 18, 22, 23, 24 and 25 further define the scope of the “inevitable impurities” recited in claim 1. No new matter was added.

For the above reasons, Applicant respectfully submits that claims 1 and 16-25 are patentable over JP ‘039. Applicant respectfully request reconsideration and removal of the rejection.

B. *In the non-final Office Action dated July 8, 2009, claim 26 is rejected under §103(a) as being obvious over JP 63-065039 A in view of U.S. Patent No. 6,113,761 issued to Kardokus et al.*

Claim 26 depends from claim 1, discussed above. Applicant respectfully submits that claim 26 is patentable over JP '039 in view of Kardokus et al. for the same reasons discussed above that claim 1 is patentable over JP '039.

II. Allowable Subject Matter

In the non-final Office Action dated July 8, 2009, claims 35-38 "are allowed".

Since independent claim 1 has been amended in a similar manner as independent claim 35, Applicant respectfully submits that all pending claims, 1, 16-26 and 35-38, recite patentable subject matter and are allowable.

III. Conclusion

In view of the above amendments and remarks, Applicant respectfully submits that the rejection has been overcome and that the present application is in condition for allowance. Thus, a favorable action on the merits is therefore requested.

Please charge any deficiency or credit any overpayment for entering this Amendment to our deposit account no. 08-3040.

Respectfully submitted,
Howson & Howson LLP
Attorneys for Applicants

By /William Bak/
William Bak
Reg. No. 37,277
501 Office Center Drive
Suite 210
Fort Washington, PA 19034
(215) 540-9216